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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: SHOEMAKER et al.

Confirmation No.: 9090

Application No.: 09/781,814

Group Art Unit: 1637

Filed: February 12, 2001

Examiner: T. Strzelecka

For: GENE DISCOVERY USING
MICROARRAYS

Attorney Docket No.: 9301-094-999

AMENDMENT UNDER 37 C.F.R. § 1.312

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the 37 C.F.R. 1.312, please consider the following remarks. Submitted herewith are copies of the Second Supplemental Information Disclosure Statement; List of References Cited, citing references GS-GV; and copies of references GS-GV, filed on July 1, 2003, including proof of filing date.

It is estimated that no charge is required for this Amendment. In the event a fee is required, please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150.

REMARKS

A Notice of Allowance and Issue Fee Due ("Notice") was mailed for the above-referenced application on August 25, 2003. Upon review of the Detailed Action accompanying the Notice, Applicant noticed that the Examiner had not indicated that references GS-GV, submitted on July 1, 2003 in a Second Supplemental Information Disclosure Statement, had been considered. A telephone call to the Examiner confirmed that the Examiner had received neither the Second Supplemental Information Disclosure Statement nor references GS-GV.

Per the Examiner's suggestion, Applicants submit herewith a copy of (1) the Second Supplemental Information Disclosure Statement ("IDS"); (2) List of References Cited ("List"), citing references GS-GV, and (3) references GS-GV, as originally filed July 1, 2003. Applicants also submit, as proof of receipt by the U.S. Patent and Trademark Office ("USPTO"), a copy of the return receipt postcard listing each of the above items, stamped by